

HOUSE BILL 2352

By Hill T

AN ACT to amend Tennessee Code Annotated, Title 2 and Title 17, relative to the appointment and qualifications of senior judges under the Senior Judge Enabling Act of 1990.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 17-2-302(a), is amended by deleting the subsection in its entirety and substituting instead the following:

Any former supreme court justice, judge of an intermediate appellate court, or judge of a state court of record who has practiced law as a licensed attorney in this state or any other state for at least twenty-five (25) years, and who has at least one (1) year of creditable service as a state justice or judge in this state, may request to be designated as a senior justice or judge.

SECTION 2. Tennessee Code Annotated, Section 17-2-303(a), is amended by deleting the subsection in its entirety and substituting instead the following:

The supreme court, subject to the approval of a majority vote of the members of the senate judiciary committee and the civil justice and criminal justice committees of the house of representatives meeting together, is authorized to appoint and renew senior judges. The supreme court shall make a recommendation to such committees to appoint or renew a senior judge after the supreme court has made an affirmative finding that the effective administration of justice in one (1) or more judicial districts requires additional judicial resources. The senate judiciary committee and the civil justice and criminal justice committees of the house of representatives shall meet jointly within ninety (90) days after any such recommendation to vote to approve or reject the recommendation.

SECTION 3. Tennessee Code Annotated, Section 17-2-303(b), is amended by deleting the subsection in its entirety and substituting instead the following:

If the supreme court, under the procedure set forth in subsection (a), determines that a former justice or judge is physically and mentally capable of performing valuable judicial service on a continuing basis and that the justice's or judge's service will promote the effective administration of justice, then the supreme court shall cause an appropriate commission to be issued under its seal for the period provided in subsection (c).

SECTION 4. Tennessee Code Annotated, Section 17-2-303(d), is amended by deleting the language "The supreme court's decision" and substituting instead the language "Except as provided in subsection (a), the supreme court's decision".

SECTION 5. This act shall take effect September 1, 2018, the public welfare requiring it, and shall apply to any senior judge appointed or renewed on or after such date.